

# EXHIBIT A

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

V.W., a minor, by and through his parent and natural guardian DERECK WILLIAMS; R.C., a minor, by and through his parent and natural guardian SANDRA CHAMBERS; C.I., a minor, by and through his parent and natural guardian VERTELL PENDARVIS; M.R., a minor, by and through his parent and natural guardian KAREN RAYMOND; F.K., a minor, by and through his parent and natural guardian KASHINDE KABAGWIRA; and J.P., a minor, by and through his parent and natural guardian ALISSA QUIÑONES; on behalf of themselves and all others similarly situated,

**X DECLARATION OF V.W.**

16-CV-1150 (DNH) (DEP)

Plaintiffs,

v.

EUGENE CONWAY, Onondaga County Sheriff, in his official capacity; ESTEBAN GONZALEZ, Chief Custody Deputy of the Onondaga County Justice Center, in his official capacity; KEVIN M. BRISSON, Assistant Chief Custody Deputy, in his official capacity; and SYRACUSE CITY SCHOOL DISTRICT,

Defendants.

**X DECLARATION OF V.W.**

I, V.W., pursuant to 28 U.S.C. § 1746, declare as follows:

1. All facts stated in this declaration are true and correct to the best of my knowledge. I am a seventeen-year-old resident of Onondaga County, and have personal knowledge of the facts contained in this declaration, to which I am competent to testify.
2. I am a class member in this action. At all relevant times I have been, and continue to be, held at the Onondaga County Justice Center. I have been at the Justice Center since February of this year. I am still being held pre-trial.
3. I have attention deficit hyperactivity disorder and it is hard for me to control my emotions, especially anger. I was last in 9th grade at Fowler.

4. I spent most of the time between mid-April and July of this year in lock in or the Box. I'm in the Box again now, too. I feel like I'm going crazy, and even more stressed than before.

#### **The Way They Treat Us is Not Fair**

5. Being locked into my cell, on ad seg or in the Box means that I am on my own in a small room for about 23 hours a day. My cell and the rooms in the Box are about the same size, and contain a bed, a sink, a toilet, and sometimes a small table. I also get a desk and a chair in my own cell. There is not much to do, and there are only a limited number of books. I am not allowed to talk to people. I spend most of the day sleeping. I eat alone in my cell.
6. I am let out for only one hour a day for recreation, but recreation is always inside. When I'm in the Box, I am just taken to a cage for recreation where there is nothing to do. I also only get fifteen minutes to shower every other day. Sometimes there are people, including adults, in the recreation cages and showers next to me. Sometimes, I am alone. Sometimes, I don't even get recreation at all because deputies cancel it.
7. I generally get to go to school for a few hours during the week to prepare for the GED, and can go to English Language Arts class, church, and other programs. I don't get to do any of that when I'm in isolation. I get a packet of homework to do, but no one tells me how to do it or what to do. Once, the teacher who dropped it off said that they would take it back when I was done with the work and got out of lock-in, but no one ever followed through on that.
8. Nobody at the jail has ever told me about a meeting to discuss my education or if my behaviors that have been getting me in trouble are related to my ADHD.
9. A mental health worker sometimes comes by to ask me if I am going to harm myself or commit suicide. The conversation is never long. It is the only time the jail asks about my mental health.
10. The Box is a lot darker, even though there are windows. There, I was not allowed a lot of property in my cell. I could have a pen and paper, a Bible, and a book to read. I never spoke with anyone on the phone because I was only allowed to make a weekly call to my attorney, and he never picked up his phone. I felt hungry a lot, and once saw a deputy retaliate against another minor by refusing to give the minor his night-time food. That scared me.
11. In the Box, the recreation cages smelled like urine, and I saw people urinating in the vents. Once, someone in a cell near mine flushed his toilet so much it overflowed and pooled in my cell, so they shut off the water for a long time. I couldn't flush my toilet without asking them to turn the water back on, so I started urinating in my sink to avoid dealing with it.
12. Being in isolation is torture. I feel so depressed and I just want to go home. No one cares about you when you are in there. I feel alone without being able to talk to my family or

my lawyer. I have asked for a sedative to help me sleep at night because I can't sleep on my own.

**It Is Not Fair How Often People Are Put in Isolation**

13. I have been locked in a lot. In April, I was sent to the Box for fighting. I was there, on ad seg, for two weeks until I had a disciplinary hearing, where they sentenced me to 45 days of lock-in my own cell.
14. When I was in lock-in, I kept getting more misbehavior reports. I got another 15 days for spraying another person with a bottle, some time for talking through the slot in my door, and 5 days for refusing to give up my mattress when a deputy tried to take it away from me. Those are just what I remember, but I spent most of May, June, and early July locked into my cell for one thing or another.
15. On August 18, I was given another misbehavior report for yelling out of my door. I did not want to be locked in anymore, and I thought it might be better for me in the behavioral health unit so I told the deputy that I was thinking about suicide. They took me upstairs to 5C, where the mental health unit is, and took away all of my clothes but a smock. I was put on high observation and not given any recreation time. After a few days, they took me to the Box.
16. I stayed in the Box until my hearing on August 29. I was sent back to the juvenile pod, but still had to spend a week in lock-in there. I didn't get out until September 6. On September 9, I was moved back to the Box for fighting another inmate who was making fun of a friend of mine, who recently died.
17. I am currently in the Box on ad seg until my hearing. Every time I have been on ad seg they wait until the around last possible day to hold the hearing, which means I am in the Box for a few weeks. The Justice Center shouldn't be treating people this way. It is not fair, and is not appropriate for teenagers to be put in a cell with nothing to do. It is wrong.

**Class Representative**

18. I am willing to serve as a class representative on behalf of all similarly situated present and future sixteen- and seventeen-year-olds at the Justice Center.
19. I know that I am representing more than just myself in this case. I have spoken with the lawyers who represent me and the other minors in this case about what being a class representative means. I want to make sure that the Justice Center can't treat anyone else the same way that they treated me.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: September 13, 2016  
Syracuse, New York

  
V.W., Plaintiff

# **EXHIBIT B**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----x  
V.W., a minor, by and through his parent and natural guardian DERECK WILLIAMS; R.C., a minor, by and through his parent and natural guardian SANDRA CHAMBERS; C.I., a minor, by and through his parent and natural guardian VERTELL PENDARVIS; M.R., a minor, by and through his parent and natural guardian KAREN RAYMOND; F.K., a minor, by and through his parent and natural guardian KASHINDE KABAGWIRA; and J.P., a minor, by and through his parent and natural guardian ALISSA QUIÑONES; on behalf of themselves and all others similarly situated,

**DECLARATION OF R.C.**

16-CV-1150 (DNH) (DEP)

Plaintiffs,

v.

EUGENE CONWAY, Onondaga County Sheriff, in his official capacity; ESTEBAN GONZALEZ, Chief Custody Deputy of the Onondaga County Justice Center, in his official capacity; KEVIN M. BRISSON, Assistant Chief Custody Deputy, in his official capacity; and SYRACUSE CITY SCHOOL DISTRICT,

Defendants.

-----x  
**DECLARATION OF R.C.**

I, R.C., pursuant to 28 U.S.C. § 1746, declare as follows:

1. All facts stated in this declaration are true and correct to the best of my knowledge. I am a seventeen-year-old resident of Onondaga County, and have personal knowledge of the facts contained in this declaration, to which I am competent to testify.
2. I am a class representative in this action. I appear through my mother, Sandra Chambers.
3. At all relevant times I have been, and continue to be, held at the Onondaga County Justice Center. I have been at the Justice Center since about August 10. Before I came here, I was between 9th and 10th grade. I am still a pre-trial detainee.

4. Since I got here, I think I have had less than a week in my normal cell. I was on medical keeplock for a long time, and then soon after I got to the juvenile pod I was sent to the Box.

#### **I Can't Stand Being Locked in Like This**

5. Being locked in the Box means that I am on my own in a small room for about 23 hours a day. My cell and the rooms in the Box are about the same size, and contain a bed, a sink, and a toilet, and sometimes a small table. There is no library access, and I have no books in my cell, so there is really nothing to do. Also, the cold water doesn't work in my cell. I eat alone in my cell. I am let out for only one hour a day for recreation. When I'm in the Box, I am just taken to a cage for recreation where there is nothing to do either. I also only get fifteen minutes to shower every other day. It is against the rules to talk to people in the Box.
6. I don't get to go to school when I'm in the Box. I have severe attention deficit hyperactivity disorder, or ADHD, and learning disabilities. I went to a dedicated special education school when I was younger, and have individualized education programs, or IEPs, since I was little. I also used to take pills for my mental health problems. I don't get any of that now.
7. Nobody at the jail has asked me about my IEP or told me about any meetings to discuss if my behavior is related to my disabilities. I received a packet of schoolwork last week from a teacher. They just dropped off the packet and didn't actually teach me anything.
8. Some people in the Box flooded their cells last week, and the water got in my cell. My blankets fell on the floor in my cell, but the guards left me all night with only my wet blankets. It was too cold for me to sleep, so I was up all night. They also turned our water off, and my cell smells like a toilet because I cannot flush my toilet.
9. There is a Nazi symbol on my wall in the Box. It scares me. The adult in the cell next to me scares me, too. He has threatened to throw urine on me and stab me when I go into the shower.
10. I am so stressed out that I feel dizzy and lightheaded. I have lost weight and I am losing my hair. I have asked the deputies to get me therapy and counseling but the woman who came in response only asked if I was suicidal. Because I am not, she did not help me.
11. I really do not feel safe here. But I am stuck here on ad seg until September 19, when I have a hearing. I hope I get out sooner than that.

#### **Class Representative**

12. I am willing to serve as a class representative on behalf of all similarly situated present and future sixteen- and seventeen-year-olds at the Justice Center, as well as the subclass of Plaintiffs with disabilities within the meaning of the Individuals with Disabilities Education Act.

13. I know that I am representing more than just myself in this case. I have spoken with the lawyers who represent me and the other minors in this case about what being a class representative means. I shouldn't be placed in these conditions, and neither should any other minor. I want to make sure that I get out of this bad situation, but I also want to help make sure that other minors don't go through the same thing.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: September 13, 2016  
Syracuse, New York

  
R.C., Plaintiff

# EXHIBIT C

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----x  
V.W., a minor, by and through his parent  
and natural guardian DERECK WILLIAMS;  
R.C., a minor, by and through his parent and  
natural guardian SANDRA CHAMBERS;  
C.I., a minor, by and through his parent and  
natural guardian VERTELL PENDARVIS;  
M.R., a minor, by and through his parent and  
natural guardian KAREN RAYMOND;  
F.K., a minor, by and through his parent and  
natural guardian KASHINDE  
KABAGWIRA; and J.P., a minor, by and  
through his parent and natural guardian  
ALISSA QUIÑONES; on behalf of  
themselves and all others similarly situated,  
-----:

**DECLARATION OF C.I.**

16-CV-1150 (DNH) (DEP)

Plaintiffs,

v.  
-----:

EUGENE CONWAY, Onondaga County Sheriff,  
in his official capacity; ESTEBAN GONZALEZ,  
Chief Custody Deputy of the Onondaga County  
Justice Center, in his official capacity; KEVIN M.  
BRISSON, Assistant Chief Custody Deputy, in  
his official capacity; and SYRACUSE CITY  
SCHOOL DISTRICT,  
-----:

Defendants.  
-----x

**DECLARATION OF C.I.**

I, C.I., pursuant to 28 U.S.C. § 1746, declare as follows:

1. All facts stated in this declaration are true and correct to the best of my knowledge. I am a seventeen-year-old resident of Onondaga County, and have personal knowledge of the facts contained in this declaration, to which I am competent to testify.
2. I am a class representative in this action. I appear through my mother, Vertell Pendarvis.
3. At all relevant times I have been, and continue to be, held at the Onondaga County Justice Center. I have been at the Justice Center since February 29, 2016. I was sentenced to serve sixteen months here, and am still serving my sentence.

4. I have attention deficit hyperactivity disorder, ADHD. I have seen a psychiatrist before, but have not been able to get mental health treatment here. When I first came into the jail and when I was in the Box I spoke with a mental health person. All she asked me is if I wanted to hurt myself but she never asked if I had ADHD and never talked about my behaviors.
5. I have been in disciplinary isolation at the Justice Center a lot. I was sixteen years old, in ninth grade at Nottingham High School, when I came to the Justice Center. I spent my seventeenth birthday in lock-in.
6. There are three kinds of punishments here. There's the segregation housing unit, on 5B, which I call the Box. Second is lock-in, which is when I'm locked in my own cell on 2A, the pod where they keep sixteen-and seventeen-year-olds. The third type is administrative segregation, or ad seg. Anyone can be put in ad seg when they are waiting for a disciplinary hearing. You can be kept on ad seg for up to 15 business days before your hearing. Every time I have been on ad seg the jail waits close to the whole 15 days before holding the hearing. I have seen them wait that long for other minors too.
7. All of us have to go by the same rules, and a lot of other minors get put in isolation, too. There are usually around thirty minors here at a time, but I have seen a lot more people come and go in my time here.

#### **What It Is Like in Isolation**

8. Being locked into my cell, on ad seg, or in the Box means that I am on my own in a small room for about 23 hours a day. My cell and the rooms in the Box are about the same size, and contain a bed, a sink, a toilet, and sometimes a small table. I get a desk and a chair in my cell, but that can be taken away as punishment, too. There is no library access, so if I am in isolation I only get to have whatever books I happen to have at the time. I eat alone in my cell.
9. I am let out for only one hour a day for recreation, but recreation is always inside. When I'm in the Box, I am just taken to a cage for recreation where there is nothing to do. I also only get fifteen minutes to shower every other day. On ad seg, I also have to take rec by myself, but sometimes it is in the cage and sometimes it isn't. Sometimes there are people, including adults, in the cages or showers next to me. Sometimes, I am alone. Sometimes, I end up spending 24 hours a day in my cell because the deputies won't let me out at all.
10. I am not allowed to talk to people while I'm in my cell. If I try to, by yelling through my door or into my vent, I can get punished more.
11. If I'm not locked in or in the Box, I could go to school for a few hours on weekdays, and go to religious services and other programming, if I wanted to. In isolation, I'm not allowed to go anywhere. Instead of letting me go to class, the deputy on the unit or a teacher leaves a packet of school papers at my door. No one comes to help with the packets, collects them, asks me to turn them in, or tells me whether they will be graded.

12. I haven't gotten any mental health services or counseling while in isolation, either in lock-in or in the Box. A nurse comes by every so often to ask if I am having homicidal or suicidal thoughts, but she just pops up and leaves quickly.
13. In the Box, we are treated worse than animals. The rooms and floors look like they haven't been cleaned in a long time, and it smells like urine. I had to go to rec in a cage or not go at all—so sometimes I didn't go at all. Adults shower next to us in the shower stalls, and will sometimes talk to or yell to us in the showers. I saw deputies in the Box refuse to give minors food when they were disrespectful, and once a deputy refused to give me my breakfast tray. We only got once-weekly calls to our attorneys, and couldn't call our families.
14. I was not allowed much property in the Box: blankets, clothes, hygiene products, some paper, a pencil, and maybe a few books, but not much more than that. I have even had books taken away from me before. There is no desk or chair like there is in my regular cell, just a small table.
15. My property can be taken away when I am in lock-in, too. The deputies take my property bins, mattress, and chair as extra punishment. I have seen them do this to other people, too.
16. Whether it's lock-in or the Box, being in the cell 23 hours per day makes me feel crazy. It is so stressful. I feel like a caged animal, but I also feel dead to the world. All I can do is sit all day, sleep, eat, write, and think about how much time I have left in the Justice Center. It is so hard to take it.

#### **The Deputies Punish Minors with Isolation All the Time**

17. On April 13, 2016, I was sent to the Box for fighting. The "SERT" or Sheriff's Emergency Response Team took me to the Box, where I was kept for 15 days until April 28 waiting for my disciplinary hearing. I was up there with about seven other minors.
18. On April 28, I was sent back to the juvenile pod, where I was locked into my cell for 45 days. Even after I was let out, I kept getting written up. I had a few extra five- or ten-day lock-ins. A lot of it was for small stuff, like talking out of my door or talking back to deputies.
19. One time when I was on lock-in the deputy cancelled my recreation each day for a week because, among other small stuff, I kept talking to my friend in the cell next to me through my vent.
20. It feels like the deputies put me in isolation for no reason. I went to the Box again in August, with about 10 other minors, when other people got into a fight on the pod. I was in for 8 days until my hearing, where they realized that I was not part of the fight and dismissed the disciplinary charges. I did get put on lock-in my cell on 2A for about an extra week, though, because I had been caught talking loudly in the Box.

21. "Two-threes," or 23-hour lock-ins, are handed out what feels like all the time. I have gotten two-threes for being out of place, like walking into the lawyer-client meeting room without asking. Based on what I have seen in the jail, I get about as many two-threes as other people do.
22. Having ADHD makes it hard to sit still and be quiet for so long, and it is not fair that I keep getting extra time for walking around and making noise.
23. Before I was put on ad seg or before my hearing nobody ever asked me if I had ADHD or if I felt like my ADHD was affecting my behavior.
24. Things are not getting better here. The people who run this jail still let minors like me go to lock-in and the Box all the time, for anything. I am so frustrated that I have been locked in so much. People who have been here a while are scared, but it is hard for me not to talk back to the deputies when they show no respect for me and just lock me in all the time.

#### **Class Representative**

25. I am willing to serve as a class representative on behalf of all similarly situated present and future sixteen- and seventeen-year-olds at the Justice Center.
26. I take my role as class representative seriously. I have spoken with the attorneys who are representing me and the other minors in this case and understand what I will have to do to be a class representative. I know that I am representing more than just myself in this case, and I want to take on that responsibility. It is bad for the minors here and I want to help do something about it. I want to do what I can to make sure that people like me do not have to go through the same things that I have been through.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: September 13, 2016  
Syracuse, New York

  
C.I., Plaintiff

# EXHIBIT D

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----x  
V.W., a minor, by and through his parent  
and natural guardian DERECK WILLIAMS; :  
R.C., a minor, by and through his parent and  
natural guardian SANDRA CHAMBERS; :  
C.I., a minor, by and through his parent and  
natural guardian VERTELL PENDARVIS; :  
M.R., a minor, by and through his parent and  
natural guardian KAREN RAYMOND; :  
F.K., a minor, by and through his parent and  
natural guardian KASHINDE :  
KABAGWIRA; and J.P., a minor, by and  
through his parent and natural guardian :  
ALISSA QUIÑONES; on behalf of :  
themselves and all others similarly situated, :

**DECLARATION OF M.R.**

16-CV-1150 (DNH) (DEP)

Plaintiffs, :

v.  
:

EUGENE CONWAY, Onondaga County Sheriff,  
in his official capacity; ESTEBAN GONZALEZ,  
Chief Custody Deputy of the Onondaga County  
Justice Center, in his official capacity; KEVIN M.  
BRISSON, Assistant Chief Custody Deputy, in  
his official capacity; and SYRACUSE CITY  
SCHOOL DISTRICT, :

Defendants. :

-----x  
**DECLARATION OF M.R.**

I, M.R., pursuant to 28 U.S.C. § 1746, declare as follows:

1. All facts stated in this declaration are true and correct to the best of my knowledge. I am a seventeen-year-old resident of Onondaga County, and have personal knowledge of the facts contained in this declaration, to which I am competent to testify.
2. I am a class representative in this action. I appear through my mother, Karen Raymond.
3. At all relevant times I have been, and continue to be, held at the Onondaga County Justice Center. I have been at the Justice Center since early 2015. I was taking 9th and 10th grade classes before I came here.

4. When I was younger, I was diagnosed with attention deficit hyperactivity disorder, or ADHD, and oppositional defiant disorder. These disabilities make it hard for me to deal with anger and other emotions. I was on medication for these outside the Justice Center and am on medication now.
5. Because my mental health diagnoses make it hard for me to focus in school, I used to have extra help in school. I would get a separate room and extra time on tests, and I had a special education program. At the Justice Center, I am taking GED classes and do not get this extra help anymore, especially not when I'm in disciplinary isolation.
6. I turned seventeen here, and I can't wait to get out. I have been isolated so many times as punishment, and so are all of the other minors. There are usually 25 to 30 people here and, at any given time, maybe twenty of them have recently been in lock in or in the Box.
7. Lock-in is in my own cell on 2A, the minors' pod. The Box, which is what I call the segregation unit, is upstairs on 5B. There is also administrative segregation, or ad seg, which is a lot like being in the Box, but is can be in my own cell. I have been put on ad seg while waiting for a disciplinary hearing.
8. You can be on ad seg for up to 15 business days until they have to hold your hearing. Although they could have held my hearing anytime before the 15 days was up, they have always kept me on ad seg for close to the maximum 15 days before holding my hearing.
9. In each case, I have to sit alone in my cell for 23 hours a day, with only about one hour, maybe one hour and fifteen minutes, to shower and take recreation.

### **What It Is Like in Isolation**

10. Being locked into my cell, on ad seg, or in the Box means that I am on my own in a small room for about 23 hours a day. My cell and the rooms in the Box are about the same size, and contain a bed, a sink, a toilet, and sometimes a small table. I get a desk and a chair in my cell, but that can be taken away as punishment, too. There is no library access, so if I am in isolation I only get to have whatever books I happen to have at the time.
11. I eat alone in my cell. I am let out for only one hour a day for recreation, but recreation is always inside. When I'm in the Box, I am just taken to a cage for recreation where there is nothing to do. I also only get fifteen minutes to shower every other day. Depending on where I am on ad seg, my recreation can be alone on the minor pod or in the cage in the Box. Sometimes there are people, including adults, in the cages next to me. Sometimes, I am alone. Sometimes, I end up spending 24 hours a day in my cell because the deputies won't let me out at all.
12. I am not allowed to talk to people while I'm in my cell, and have been in trouble for talking to other people in the Box. If I try to, by yelling through my door or into my vent, I can get punished more.
13. Outside of isolation, I was able to go to school for a few hours during the week, and go to programs, like the Grace Project, and church services each week. There are vocational

classes like computer programming, maintenance, and painting, that minors are allowed to go to. Minors can also have jobs in the jail, like being a porter or working in the kitchen.

14. In the Box, ad seg, and in lock-in, I couldn't do any of that. I only got packets of worksheets, newspaper articles, and sometimes a crossword or word search to work on. I finished two or three of these in the Box once, and tried to turn them in. My teacher took them, but I never knew if they were graded or how I did on them. No one asked about my disabilities either.
15. While I was in the Box, ad seg, or lock-in, no one asked about my disabilities or how they were related to my behavior.
16. The Box is terrible. They don't seem to clean it very often and when I was there, it was dirty and smelled bad. I could only take recreation in a cage, and I hated going, and sometimes didn't go at all, because I felt like an animal in it. I have never seen a human stand in a cage and enjoy it. It was like I was in a circus.
17. In the Box, they treated us like animals, too. Once, a deputy gave me an empty meal tray instead of my meal. I was only allowed to make one phone call per week, on Mondays, to my lawyer. I wasn't allowed to have much except my clothes, blankets, a pen, soap, shampoo, deodorant, two rolls of toilet tissue, legal papers, and a couple of books. I wasn't allowed to have my own Bible or letters from my family and friends. It was hard not to talk to my loved ones at all.
18. Lock-in is bad, too. I can't talk out through my door or the deputies will cancel my rec time or give me more days in lock-in. Even asking when I'll be let out next can get me in trouble. It is hard for me to just sit in there quietly for days.
19. It is hard to ask for mental health help here. Once, I wanted to talk to someone because I was having a bad time. A trauma surgeon had done a presentation for the minors on the pod as part of one of our programs, and as part of his presentation he showed a picture of a dead body. The body was someone that I know. It was really hard for me to see. Later that night, I asked a deputy to speak with someone from mental health. Rather than talking to me, they put me in an isolation cell in 5C, the behavioral health unit. I didn't get any counseling or other help.
20. When I was locked in or in the Box, a mental health person sometimes came by to ask me about whether I was eating and sleeping, and if I felt suicidal, but the interview was short and always through the door.

#### **Deputies Unfairly Put Minors in Isolation All the Time**

21. I have been in lock-in and the Box more than a few times. I was put on ad seg once for 20 days for distracting a deputy during count. Another time, I was locked in for 5 days because I covered my window with toilet tissue while I was using the toilet, so adults in the dayroom area could not see into my cell.

22. I was sent to the Box around August 18, for a fight. There were about eight or nine other minors in the Box with me. While one or two people left, most of us were kept there until our disciplinary hearings on September 8. I managed to get the charges dismissed for me and the other minors because the hearing officer waited more than 15 business days to give us our hearings. He told me he was going to give us all 40 days, but let us go instead.
23. I was written up again in the Box because the deputy said that I was yelling out of my cell door to other people. I will have a hearing by September 19.
24. I get two-threes, or 23-hour lock-ins, a lot, too. The deputies will give out two-threes for almost anything. Some will give you more time, but when they go easy on us they might only give us a two-three.

**Class Representative**

25. I am willing to serve as a class representative on behalf of all similarly situated present and future sixteen- and seventeen-year-olds at the Justice Center.
26. I know that, by being a class representative, I am responsible for more than just my own interests. I have spoken with the attorneys who represent me and the other minors in this case about my responsibilities as a class representative. Changing the conditions for minors at the Justice Center is important to me. On my own, I talked to the county Human Rights Commission about how bad things are here. This is another way I can make things better for everyone.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: September 13, 2016  
Syracuse, New York

   
M.R., Plaintiff

# EXHIBIT E

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----x  
V.W., a minor, by and through his parent : **DECLARATION OF F.K.**  
and natural guardian DERECK WILLIAMS; :  
R.C., a minor, by and through his parent and : 16-CV-1150 (DNH) (DEP)  
natural guardian SANDRA CHAMBERS; :  
C.I., a minor, by and through his parent and :  
natural guardian VERTELL PENDARVIS; :  
M.R., a minor, by and through his parent and :  
natural guardian KAREN RAYMOND; :  
F.K., a minor, by and through his parent and :  
natural guardian KASHINDE :  
KABAGWIRA; and J.P., a minor, by and :  
through his parent and natural guardian :  
ALISSA QUIÑONES; on behalf of :  
themselves and all others similarly situated, :  
  
Plaintiffs, :  
  
v. :  
  
EUGENE CONWAY, Onondaga County Sheriff, :  
in his official capacity; ESTEBAN GONZALEZ, :  
Chief Custody Deputy of the Onondaga County :  
Justice Center, in his official capacity; KEVIN M. :  
BRISSON, Assistant Chief Custody Deputy, in :  
his official capacity; and SYRACUSE CITY :  
SCHOOL DISTRICT, :  
  
Defendants. :  
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**DECLARATION OF F.K.**

I, F.K., pursuant to 28 U.S.C. § 1746, declare as follows:

1. All facts stated in this declaration are true and correct to the best of my knowledge. I am a seventeen-year-old resident of Onondaga County, and have personal knowledge of the facts contained in this declaration, to which I am competent to testify.
2. I am a class representative in this action. I appear through my mother, Kashinde Kabagwira.
3. At all relevant times I have been, and continue to be, held at the Onondaga County Justice Center. I have been at the Justice Center since about May 7 of this year. I am still pre-trial.

4. I have been in disciplinary isolation in the segregated housing unit, or the Box, twice in my time here. Each time, I had to be in ad seg in the Box while I was waiting for my hearing. Both times I was on ad seg they waited until the last possible day to give me my hearing. It feels like we have to stay in the Box for as long as possible before we can be heard.

### **What It Is Like in Isolation**

5. Being locked in the Box means that I am on my own in a small room for about 23 hours a day. The rooms in my cell and Box are about the same size, and contain a bed, a sink, a toilet, and sometimes a small table or chair. I only get to have whatever books I happen to have at the time, or can convince the deputies to give me. I spend most of my time sleeping until trays came for meals. Then, I eat alone in my cell. I am let out for only one hour a day for recreation, but recreation is always inside. When I'm in the Box, I am just taken to a cage for recreation where there is nothing to do. I also only get fifteen minutes to shower every other day. Sometimes there are people, including adults, in the cages next to me. Sometimes, I am alone.
6. I got in trouble for talking to other people in the Box. If I yelled through my door or into my vent, I knew that I could be punished more.
7. Outside the Box, people go to regular classes for a few hours a day during the week, and can attend programs and have jobs, like working in the kitchen, being a barber, or being a porter. I was a porter, which meant that I cleaned up the juvenile pod and helped distribute meal trays when they came. That was before I went to the Box the second time. If you go to the Box, they take your job away.
8. In isolation, a teacher came by to drop off my placement test—which they give you to decide which class to put you in—and a packet of worksheets for me to do. I finished my test, which she collected, but she never asked for the worksheets and never really taught me anything there. She just dropped off the packet. The Box made me feel so stressed and depressed that I decided not to do them.
9. The mental health person comes by my cell once per week, but it is only brief. They ask if I am good, if I have any problems, and then move on.
10. The conditions in the Box are bad. I couldn't make any phone calls, except to my lawyer once per week, and my calls did not go through unless my lawyer had money on his phone. I wanted to call my mom when I got to the Box to let her know what happened, but I couldn't. I was not allowed to have much more than my clothes, blankets, some paper and envelopes, hygiene products, and a couple books. I went to the recreation cages to stand in it for an hour each day just to do something different. I tried to exercise in my cell, but I was hungry all the time and felt weak. I definitely lost weight in the Box my first time in, and I was hungry all the time both times.

11. Being locked in a cell for 23 hours makes me feel stressed, lonely, and isolated. I feel like I am going crazy sometimes and feel really depressed other times. I see people who have been in for weeks and they aren't the same anymore.

**It is Hard to Stay Out of Isolation**

12. Even though I want to avoid the Box and lock-in as much as possible because being locked in my cell for at least 23 hours a day is so stressful, it is hard for me.
13. I was diagnosed with bipolar disorder and attention deficit hyperactivity disorder, or ADHD, a few years ago, and was taking medication for both. I don't take medication at the Justice Center.
14. I had an individual education program, an IEP, when I was in school. I can't remember exactly what it required, but I had extra help. I was going to evening classes through the Twilight program, and was in 9th grade.
15. Nobody in the jail has ever asked me about my IEP, talked with me about attending a meeting to discuss my IEP or talked with me about whether my behaviors are related to my ADHD or bipolar disorder.
16. Because of my disabilities, I have trouble controlling my moods and have a lot of extra energy. I try to burn up my energy as much as I can, but it is sometimes hard to do that. Before punishing me, the jail never asked me about my disabilities or tried anything other than putting me in isolation. I feel like many of my behaviors I get in trouble for are related to my bipolar disorder and ADHD.
17. I went to the Box shortly after I came to the Justice Center in May. I had been there about one week when I got into a fight with one of the adults who was being housed on the juvenile pod. The emergency team took me up to the Box. I was there on ad seg status for 19 days, waiting for my disciplinary hearing. I was given time served at my hearing, and sent back to the juvenile pod the same day.
18. On August 17, I was sent to the Box again for another fight. Again, they held me in the Box until my disciplinary hearing, which was scheduled for September 7. The jail made a mistake and held my hearing too late, on September 8, so they dismissed the charges against me.
19. Because of my fight I have a lot of "no-contacts" so even though I won the disciplinary hearing I still am locked in my cell for about 23 hours every day. This combined with issues in my criminal case really is stressing me out and made me feel like I want to hurt myself. A few days after I got back from the Box, I told mental health that and they moved me to 5C made me take my clothes off and put me in a suicide smock with an adult constantly watching me. I'm not sure how this was supposed to help me. I'm feeling a little better now but not because of the mental health staff here.

**Class Representative**

20. I am willing to serve as a class representative on behalf of all similarly situated present and future sixteen- and seventeen-year-olds at the Justice Center, and the subclass of Plaintiffs with disabilities within the meaning of the Individuals with Disabilities Education Act.
21. I know that I am representing more than just myself in this case. I have spoken with the lawyers representing me and the other minors in the jail and know what is expected of me to be a part of this case. I want to do this so that other minors like me don't have to go through what I have had to go through.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: September 13, 2016  
Syracuse, New York

  
F.K., Plaintiff

# **EXHIBIT F**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

V.W., a minor, by and through his parent and natural guardian DERECK WILLIAMS;  
R.C., a minor, by and through his parent and natural guardian SANDRA CHAMBERS;  
C.I., a minor, by and through his parent and natural guardian VERTELL PENDARVIS;  
M.R., a minor, by and through his parent and natural guardian KAREN RAYMOND;  
F.K., a minor, by and through his parent and natural guardian KASHINDE KABAGWIRA; and J.P., a minor, by and through his parent and natural guardian ALISSA QUIÑONES; on behalf of themselves and all others similarly situated,

**DECLARATION OF J.P.**

16-CV-1150 (DNH) (DEP)

Plaintiffs,

v.

EUGENE CONWAY, Onondaga County Sheriff, in his official capacity; ESTEBAN GONZALEZ, Chief Custody Deputy of the Onondaga County Justice Center, in his official capacity; KEVIN M. BRISSON, Assistant Chief Custody Deputy, in his official capacity; and SYRACUSE CITY SCHOOL DISTRICT,

Defendants.

**DECLARATION OF J.P.**

I, J.P., pursuant to 28 U.S.C. § 1746, declare as follows:

1. All facts stated in this declaration are true and correct to the best of my knowledge. I am a seventeen-year-old resident of Onondaga County, and have personal knowledge of the facts contained in this declaration, to which I am competent to testify.
2. I am a class representative in this action. I appear through my mother, Alissa Quiñones.
3. I have been held at the Onondaga County Justice Center since July 6. I am going to be here until I have a trial on my criminal charges.

4. I was diagnosed with attention deficit hyperactivity disorder, or ADHD, when I was very young. It is really hard to control my emotions, especially anger. It is also hard for me to write. A few years ago, when I was thirteen or fourteen years old, I attended counseling to help me handle all of this. I don't have any counseling like that at the Justice Center.
5. I have been locked in a handful of times in the few months that I have been at the Justice Center, and I was sent to the Box in August.

### **What It Is Like in Isolation**

6. Being locked into my cell, on ad seg, or in the Box means that I am on my own in a small room for about 23 hours a day. My cell and the rooms in the Box are about the same size, and contain a bed, a sink, a toilet, and sometimes a small table. I get a desk and a chair in my own cell. When you're in the Box or lock-in all there is to do is read, but sometimes it is hard to even get books.
7. I eat alone in my cell. I am let out for only one hour a day for recreation, but recreation is always inside. When I'm in the Box, I am just taken to a cage for recreation where there is nothing to do. I also only get fifteen minutes to shower every other day. Sometimes there are people, including adults, in the recreation cages or showers next to me. Sometimes, I am alone. I sleep a lot in the Box, and sometimes I don't get rec at all because I am asleep during the one hour I am supposed to be out, and no one wakes me up.
8. I am not allowed to talk to people from my cell when I'm on lock-in. If I try to, by yelling through my door, I can get punished more. The deputies have threatened to take my mattress as additional punishment before.
9. Normally, I could go to school for a few hours on weekdays. I had been in 9th grade before I came here and, I'm not sure why, but I went to a small class on the juvenile pod with some other minors in the Justice Center. I would also do any programs there were, just to have something to keep me busy. In isolation, I don't get to do any of those things. There's no school at all in the Box, ad seg, or lock-in. All they do is come to my cell and give me a packet of work.
10. It is stressful and boring in isolation. I just have to do nothing. It is really hard for me to sit still and be quiet and I just can't handle it.
11. The Box is especially hard. The conditions are gross. There were bugs and flies in the cell I was in and in the showers, and I got bites from them. I had a pretty bad rash and an abscessed tooth, which gave me bad headaches, but I was not getting any medical help. I felt hungry all of the time, and I felt like I lost weight in the Box.

### **The Deputies Lock Me in Unfairly**

12. I have been locked in for short periods a lot, usually for stupid stuff.

13. I was sent to the Box around August 17 for a fight. When I first got to the Box, they let me have one phone call to anyone. I tried to call my mom but I could not reach her. I felt bad because I knew that she would be worried, but that was my only chance to try to get hold of her. After that, I couldn't call her anymore because I only got one weekly call to my lawyer.
14. In the Box, while I was waiting for my disciplinary hearing on ad seg status, I was given another misbehavior report because I was yelling out of my cell door to other people. I told them that it wasn't fair to put me on more ad seg status for talking, because my ADHD makes it very hard for me to keep quiet and keep still in isolation.
15. I was released from the Box on September 8. The charges were dismissed because they waited longer than 15 business days to hold my hearing. I have a disciplinary hearing scheduled for September 19 for talking to other people in the Box.
16. Nobody at the Justice Center has ever asked about my ADHD before putting me in lock-in, ad seg, or the Box.

**Class Representative**

17. I am willing to serve as a class representative on behalf of all similarly situated present and future sixteen- and seventeen-year-olds at the Justice Center.
18. I have spoken with the attorneys who are representing me and the other minors in this case and I know what I need to do to be a class representative. I know that I am representing more than just myself in this case. It is bad here, and no one else should have to go through this.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: September 13, 2016  
Syracuse, New York

J.P., Plaintiff [REDACTED] [REDACTED]

# **EXHIBIT G**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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V.W., a minor, by and through his parent and natural guardian DERECK WILLIAMS; R.C., a minor, by and through his parent and natural guardian SANDRA CHAMBERS; C.I., a minor, by and through his parent and natural guardian VERTELL PENDARVIS; M.R., a minor, by and through his parent and natural guardian KAREN RAYMOND; F.K., a minor, by and through his parent and natural guardian KASHINDE KABAGWIRA; and J.P., a minor, by and through his parent and natural guardian ALISSA QUIÑONES; on behalf of themselves and all others similarly situated, . . .  
Plaintiffs, . . .  
v.  
.

EUGENE CONWAY, Onondaga County Sheriff, in his official capacity; ESTEBAN GONZALEZ, Chief Custody Deputy of the Onondaga County Justice Center, in his official capacity; KEVIN M. BRISSON, Assistant Chief Custody Deputy, in his official capacity; and SYRACUSE CITY SCHOOL DISTRICT, . . .  
Defendants.  
-----x

**SUPPLEMENTAL DECLARATION OF C.I.**

I, C.I., pursuant to 28 U.S.C. § 1746, declare as follows:

1. All facts stated in this declaration are true and correct to the best of my knowledge. I am a seventeen-year-old resident of Onondaga County, and have personal knowledge of the facts contained in this declaration, to which I am competent to testify.
2. I am a class representative in this action. At all relevant times I have been, and continue to be, held at the Onondaga County Justice Center. I have been at the Justice Center since February 29, 2016. I was sentenced to serve sixteen months here. I am still serving my sentence.

3. I have spent the vast majority of my approximately ten months at the Justice Center in some form of isolation and it is really harming me. Most of my friends have left the jail. Because of the lack of therapy at the jail, I have no one to talk to about my problems. Stuck in my cell in the juvenile pod nearly all day, I get agitated and act out, putting me right back into the Box.

### **Jail Staff Don't Care About Me**

4. From the get-go, the jail made it clear they do not care about me. When I first got to the Justice Center, I was placed on reception status. Although I was on the juvenile male pod, being on reception status meant that I could only leave my cell for about an hour each day to shower or for recreation. I wore a special green shirt to show that I was on reception status. This lasted about five days. Being stuck in my cell while on reception status is like being locked-in.
5. I've been put in solitary confinement nine times since I've been here. Each time I was put in solitary I wasn't allowed to go to school. I've never received any notices saying I couldn't go to school. Nobody here seems to care I'm not receiving an education. I've never had the opportunity to explain why I should be in school. I don't even know how much school I've missed since I've been here. I'm going to try to go back when I get out in March but because I'm so far behind everyone else my age, I don't know if I'll make it.
6. Since late September 2016 through early December 2016, I haven't received any sanctions. But during that time I routinely only left my cell for about an hour a day because the jail is still punishing me with no-contact orders for earlier incidents.
7. I have no-contact orders, which means that I cannot be out of my cell in the juvenile pod on 2A at the same time as three other teenagers I got in a fight with six months ago. As a result, I have spent the last several months basically locked-in.
8. I was told by jail staff that the way to get no-contact orders lifted is by filing these yellow referral slips explaining why the no-contact order should be lifted. I and at least two of the other kids I fought with have filed multiple yellow referral slips stating that we have no problems with each other, that we will not fight, and that we would like to be able to be out of our cells at the same time. But the jail will not remove the no-contacts orders. The no-contact orders make no sense at this point and don't relate to any safety concerns. The no-contact orders are just a way for the jail to keep punishing me for older incidents.

### **Even When You're Hurting, There's No Help at the Jail**

9. I wish there was someone to talk to when I am stressing or upset, but there isn't. Several months ago, a friend and I returned to the 2A pod from the Box. At some point, my friend told me how his father died and about other issues he was facing. It was one of the first times I felt like I could trust someone at the jail. You have to act tough on the pod. People don't think you're a real man if you share too many feelings. I started to tell him about how my mother lives with a disability and how I was upset about my friends who had died. My friend

and I were both feeling pretty down. We told mental health workers about how we were feeling and they sent us to suicide watch on the 5C.

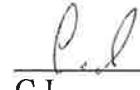
10. 5C was terrible and it was not what I expected. When I got to 5C, they stripped me naked and made me stay in an observation room and a deputy sitting outside the room just looked at me. I never got any counseling or therapy on 5C. I thought that there might be therapy or group sessions or something but there was nothing to help me.
11. Even after I got out of suicide watch, it was still horrible in 5C. Adults and juveniles walk around together in 5C. Some of the adults freaked me out because they walk around with poop stains on their jumpers and smell horrible. I told the jail staff I was ok and that I wanted to go back to the 2A pod even though I would get less time out of my cell because of my no-contact orders.

#### **Solitary Confinement Makes Me Feel Very Agitated**

12. As a result of being locked-in all the time, I find myself getting really agitated and frustrated. I am stuck in my cell all day. I have to watch other kids socializing. I see new people come to the jail that I don't know and who don't know me. The past few months have been hard. Sometimes some of the new kids will taunt me while I'm locked-in.
13. One kid, who I heard wanted to fight me, kept taunting me and insulting me. It was really frustrating to sit in cell and be insulted while the deputies did nothing. Stuck in my cell, I thought about how much I hated being in solitary confinement. And I thought about how helpless I felt. I sat in my cell and got really agitated. When the deputies let us out of our cells, I punched the kid who insulted me. I was then sent to 5B. I am so disappointed in myself. I had done such a good job for months of avoiding conflict. I feel like I'm losing it.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: December 16, 2016  
Syracuse, New York

  
C.I.